

Date _____
Resolution Book _____, Page _____

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA
ON _____, 2019.**

A motion was made by _____ and seconded by _____ for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, North Carolina General Statutes Section 160A-280 authorizes the City to donate surplus personal property belonging to the City to another governmental unit within the United States pursuant to a Resolution adopted after the posting of a public notice of such Resolution at least five days prior to its adoption; and

WHEREAS, the City of Charlotte owns 2001/ 2003 Optima Bus Trolley(s), which has completed its service life, is surplus property and has been fully depreciated and determined as eligible for retirement and conveyance pursuant to North Carolina law to an eligible governmental unit;

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that:

1. The Chief Executive of Charlotte Area Transit System is hereby authorized to create and execute such documents as may be or become necessary to convey full legal ownership of said 2001/2003 Optima Bus Trolley(s) to the City of Greenville North Carolina. The City of Greenville shall bear and pay any and all costs or expenses which may be incurred in the transfer of ownership of said 2001/2003 Optima Bus Trolley (s) to the City of Greenville.

The City shall donate said 2001/2003 Optima Bus Trolley(s) to the City of Greenville only upon the conditions and subject to the covenants of Greenville that:

- A. it shall at all times use and maintain the said 2001/2003 Bus Trolley(s) vehicle(s) solely for the provision of public services and the pursuit of recognized "public purposes" they perform as a part of their transit improvement plan;
- 2. City of Greenville acknowledges that its representatives have heretofore inspected said 2001/2003 Optima Bus Trolley(s) to its satisfaction. The City shall convey, and City of Greenville shall accept, said 2001/2003 Optima Bus Trolley(s) vehicle(s) in "as is" condition, without restriction or limitation, and without warranty of fitness for a particular purpose or other warranty of any kind.
- 3. Upon and following said conveyance, the City shall thereafter bear no obligation or responsibility of any type or kind relating to the use, maintenance, expense or ownership of said 2001/2003 Optima Bus Trolley(s) vehicle(s), and all such expenses of ownership shall be the sole responsibility of City of Greenville.
- 4. By executing the contractual "Agreement" of conveyance to be provided by the City, City of Greenville agrees that it has thereupon waived, forgone and forfeited any and all present or future claims against the City arising out of City of Greenville's ownership and use of said 2001/2003 Optima Bus Trolley(s) vehicle(s) thereafter.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the forgoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ___ day of _____, 2019. The reference having been

made in Minute Book _____, and recorded in full in Resolution Book _____, Page(s) _____.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the ____ day of _____, 2019.

Stephanie C. Kelly, City Clerk